

MARK B. FREDKIN, ESQ. (SBN 53550)  
WILLIAM SIAMAS, ESQ. (SBN 133111)  
DAVID A. KAYS, ESQ. (SBN 120798)  
MORGAN, FRANICH, FREDKIN & MARSH  
99 Almaden Boulevard, Suite 1000  
San Jose, California 95113-1613  
Telephone: (408) 288-8288  
Facsimile: (408) 288-8325

Attorneys for Plaintiff/Counter-Defendant  
WHITTLESTONE, INC.

HERZOG CREBS LLP  
Peter W. Herzog, *Pro Hac Vice*  
Michael A. Vitale, *Pro Hac Vice*  
100 North Broadway, 14<sup>th</sup> Floor  
St. Louis, MO 63102  
Telephone: (314) 231-6700  
Facsimile: (314) 231-4656  
E-Mail address: pwh@herzogcrebs.com  
mav@herzogcrebs.com

BURNHAM BROWN  
Dean Pollack State Bar No. 176440  
Rohit A. Sabnis, State Bar No. 221465  
1901 Harrison Street, 11<sup>th</sup> Floor  
Oakland, CA 94612  
Telephone: (510) 444-6800  
Facsimile: (510) 835-6666  
E-Mail address: dpollack@burnhambrown.com  
rsabnis@burnhambrown.com

Attorneys for Defendant/Counter-Claimant  
HANDI-CRAFT COMPANY

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

WHITTLESTONE, INC., a California  
corporation,

Plaintiff,

v.

HANDI-CRAFT COMPANY, a Missouri  
corporation,

Defendants.

No. CV 08-04193 SBA

Assigned to the Hon. Sandra B.  
Armstrong, Courtroom 3

**STIPULATION FOR ORDER AND  
ORDER RESETTING DATE FOR  
HANDI-CRAFT TO FILE  
OBJECTIONS TO WHITTLESTONE'S  
TRIAL EXHIBITS**

<p>HANDI-CRAFT COMPANY,</p> <p>Counter-Claimant,</p> <p>v.</p> <p>WHITTLESTONE, INC.,</p> <p>Counter-Defendant.</p>
---

Pursuant to Civil Local Rules 7-1(a)(5) and 7-12 and Federal Rules of Civil Procedure (“FRCivP”) 16(b)(4), Plaintiff Whittlestone, Inc. (“Whittlestone”) and Defendant Handi-Craft Company (“Handi-Craft”), by and through their counsel, hereby stipulate to the following:

**WHEREAS**, pursuant to the pretrial order the parties’ were required to exchange exhibits on April 2, 2013;

**WHEREAS**, despite timely delivery by Whittlestone to Fedex for an April 2, 2013 delivery of Whittlestone’s trial exhibits to Handi-Craft, Fedex failed to deliver Whittlestone's trial exhibits to Handi-Craft until April 3, 2013;

**WHEREAS**, the current date for filing objections to trial exhibits is April 9, 2013; and

**WHEREAS**, as a result of the Fedex delivery issue, the parties agree that Handi-Craft should have an extra day to file its objections to Whittlestone’s trial exhibits;

**NOW THEREFORE**, the parties have agreed to the following resetting of the date for Handi-Craft to file its objections to Whittlestone’s trial exhibits to April 10, 2013.

**IT IS SO STIPULATED.**

Dated: March 28, 2013

MORGAN, FRANICH, FREDKIN & MARSH

By: /S/ Mark B. Fredkin  
 Mark B. Fredkin  
 Attorneys for Plaintiff  
 WHITTLESTONE, INC.

1 Dated: March 28, 2013

HERZOG CREBS LLP


2 By: /s/ Michael A. Vitale  
3 MICHAEL A. VITALE  
4 Attorneys for Defendant/Counter-Claimant  
5 HANDI-CRAFT COMPANY

6 **ORDER**

7 Pursuant to the above Stipulation, the date for Handi-Craft to file its objections to  
8 Whittlestone's trial exhibits shall now be April 10, 2013.

9 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

10 DATED: April 4, 2013

11  
12   
13 HON. SAUNDRA B. ARMSTRONG  
14 UNITED STATES DISTRICT JUDGE  
15

16 P:\1000\1013\1013-0037\Stipulation.doc  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27